**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.6139 OF 2006**

Madhav Govind Deshmukh ..Petitioner

V/s.

Smt.Vidya Jayant Dabholkar ..Respondent

Mr.M.S.Lagu for the petitioner
Mr.A.H.Palekar, AGP

**CORAM : S.C.DHARMADHIKARI, J.**

**DATE : 15TH JUNE, 2007**

**P.C.**

1. The Revision Application preferred by the petitioner to challenge the order passed on 10th February, 2005 by the Additional Commissioner, Konkan Division, Mumbai was rejected on the ground that the order of the Additional Commissioner itself is under revisional powers conferred upon the authorities vide Section 257 of the Maharashtra Land Revenue Code. Therefore, the second revision would not lie.

2. Both sides do not dispute that the view taken by the Additional Commissioner was based upon

some decisions of this Court which have now been recosidered and in the latest decision this Court has observed that the State Government has the authority, power & jurisdiction to entertain the second revision (C.A.No.57/2004 in LPA No.55/2003 in WP No.7477/2002) decided on 13th July, 2005.

3. In the light of this authoritative pronouncement, the order passed by the State Government on 30th June, 2006(Exh.D page 32) is unsustainable and deserves to be quashed and set aside. Rule is accordingly made absolute. The Revision Application preferred by the petitioner stands restored to the file of the concerned department of the State Government and now it shall be dealt with in accordance with law as expeditiously as possible.

**(S.C.DHARMADHIKARI, J.)**